

AO 91 (Rev. 11/11) Criminal Complaint

FILED

## UNITED STATES DISTRICT COURT

AT 0'CLOCK  
John M. Donawick, Clerk - Syracuse

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

TIM BUCKLEY

Defendant

Case No. 3:21-mj-606 (TWD)

## CRIMINAL COMPLAINT

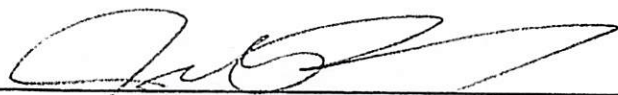
I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the dates of August 2021 – December 2021 in the county of Tompkins in the Northern District of New York the defendant violated:

*Code Section*  
18 U.S.C. § 2252A(a)(2)(A).

*Offense Description*  
Knowingly distributing child pornography using a means and facility of interstate and foreign commerce.

This criminal complaint is based on these facts:  
See attached affidavit in support of criminal complaint.

☒ Continued on the attached sheet.



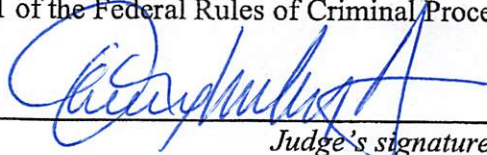
Complainant's signature

Special Agent Jenelle Corrigan Bringuel, FBI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: December 22, 2021



Judge's signature

City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Jenelle Bringuel, having been first duly sworn, do hereby depose and state as follows:

1. I have been employed as a Special Agent of the FBI since June 2012 and am currently assigned to the Albany Division, Binghamton Resident Agency. I am specifically assigned to the Mid-State Child Exploitation Task Force (MSCETF). The MSCETF targets individuals involved in the on-line sexual exploitation of children. As part of my duties, I investigate crimes involving the sexual exploitation of minors, including sex trafficking of minors and various criminal offenses related to the production, distribution, receipt, and possession of child pornography. I received training on the proper investigative techniques for these violations, including the use of surveillance techniques, undercover activities, and the application and execution of arrest and search warrants. I have conducted and assisted in several child exploitation investigations and have executed search warrants that have led to seizures of child pornography and undercover operations to identify and locate individuals who seek to engage in sexual activity with minors.

2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516(1). As an FBI Special Agent, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including offenses related to the sexual exploitation of minors.

3. I make this affidavit in support of a criminal complaint and arrest warrant charging TIMOTHY BUCKLEY with knowingly distributing child pornography using a means and facility of interstate and foreign commerce, and in and affecting such commerce, in violation of Title 18 United States Code, Section 2252A(a)(2)(A).

4. The statements contained in this affidavit are based upon my investigation, information provided to me by other law enforcement officers, and on my experience and training as a Special Agent of the FBI. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause to believe that TIMOTHY BUCKLEY has violated Title 18, United States Code, Section 2252A(a)(2)(A).

**Details of the Investigation and Probable Cause**

5. In August 2021, an undercover law enforcement officer Employee (UC-1) maintained an undercover KIK<sup>1</sup> profile within a KIK group titled “#parentsandbabies.” On August 24, 2021 UC-1 began private messaging with a KIK user “50somethingithaca” bearing vanity name “Ron Trybus,” later confirmed to be defendant TIMOTHY BUCKLEY. As a part of their correspondence, BUCKLEY distributed several images of at least 2 different minor females, between the ages of approximately 2-5 years old to UC-1. One of these images depicted a nude minor female approximately 3 years old sitting outside in a toy car; the female’s head was cropped out of the picture and her genitals were visible. BUCKLEY told UC-1 he is from New York and that he enjoys taking videos of himself masturbating while watching nearby children and that someday he might be willing to share a video of “little one watching me cum.”

6. On August 27, 2021, BUCKLEY distributed two images depicting child pornography to UC-1, which are described as follows and are available for the court’s review upon

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<sup>1</sup> Kik is a smartphone messenger application that lets users chat with each other, both individually and in groups. Users can send text, pictures, videos and other files within the app. Kik is available for download through the iOS App Store and the Google Play store on most iOS (iPhone/iPod/and iPad) and Android (including Kindle Fire) devices. Android is an operating system developed by Google for mobile electronic devices, including smartphones and tablets.

request:

- a. File name: 4aa726cf-95bf-4239-b83e-8ed97bfe88ab: This image depicts the lascivious exhibition of the genitals of a female, approximately 12-14 years old, bent over a bathroom vanity grasping the sides of the countertop; the child is nude except for a pair of underwear which have been pulled down around her thighs and her genitals are exposed.
- b. File name: 420a09f5-c8fd-417d-8ca4-03f9a93b8098: This image depicts the lascivious exhibition of the anus of a minor, who is depicted spreading their buttocks open exposing their anus to the camera.

7. On September 1, 2021, UC-1 invited a second law enforcement officer acting in an undercover capacity (UC-2) into a chat room where UC-1 and BUCKLEY were members. During the course of conversations with UC-2, BUCKLEY sent UC-2 a live<sup>2</sup> image of an adult male, claiming the adult depicted was BUCKLEY.

8. On today's date, a federal search warrant which was issued by this court on December 21, 2021, was executed at BUCKLEY's residence, on vehicles registered to BUCKLEY, and for BUCKLEY's person. During the execution of these searches, BUCKLEY agreed to be voluntarily interviewed conducted by your Affiant and other law enforcement agents. During this interview, which was audio recorded, BUCKLEY admitted that he is the sole individual who utilized KIK account "50somethingithaca." BUCKLEY admitted to creating and utilizing the KIK account on his work cell phone and admitted he distributed the aforementioned

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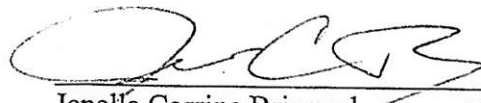
<sup>2</sup> Within the KIK application, a user can send another user an image either by sending an image from the internal photo gallery on the electronic device which is being used to communicate, or by generating a new image from the electronic device's camera feature. Upon distributing this image, the end user will be notified if the image was taken via the camera, or if it was sent from the gallery. While there are methods of faking an image being sent "live" from the camera, in your Affiant's experience, these methods are generally not used by everyday users, and this is a common method by which people verify/identify the individual with whom they are communicating with via the KIK text thread.

images depicting child pornography to UC-1 in August 2021 via his KIK account. BUCKLEY also admitted that on at least one other occasion he took at least one sexually explicit photograph of minors with his cellular telephone.

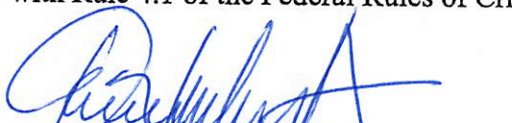
**Conclusion**

9. Based upon the above information, there is probable cause to establish that TIMOTHY BUCKLEY has violated Title 18, United States Code, Section 2252A(a)(2)(A), knowingly distributing child pornography using a means and facility of interstate and foreign commerce, and in and affecting such commerce, and your Affiant requests that a criminal complaint be issued pursuant to this violation of federal law.

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF  
RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE

  
Jenelle Corrine Bringuel  
Special Agent  
Federal Bureau of Investigation

I, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on December 22, 2021, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

  
Hon. Thérèse Wiley Dancks  
United States Magistrate Judge